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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 STRIKE 3 HOLDINGS, LLC,

9 Plaintiff,

10 v.

11 JOHN DOE (73.225.38.130),

12 Defendant.

C17-1731 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable
14 Thomas S. Zilly, United States District Judge:

15 (1) Plaintiff's motion for protective order, docket no. 67, is DENIED. To the
16 extent that the proposed deponent Greg Lansky lacks personal knowledge concerning the
17 remaining counterclaims in this matter, the deposition will presumably be short. In
18 connection with his abuse of process claim, however, defendant is entitled to pursue
19 discovery concerning, among other things, Lanksy's assertions in his undated declaration,
20 docket no. 4-2, regarding the amount of time ("as little as four minutes") required to
21 download content to torrent websites, his company's efforts to identify the "initial
22 seeder," the average number (50,000) of DMCA notices sent by his company each
23 month, and "[t]he only effective way to stop the piracy of [his company's] movies on
BitTorrent networks [being] to file lawsuits like this one."

(2) The Court GRANTS defendant's request for attorney's fees and costs,
docket no. 76, in connection with responding to plaintiff's motion for protective order,
and AWARDS defendant \$700.00, to be paid by plaintiff within fourteen (14) days of the
date of this Minute Order.

(3) Defendant's motion for continuance pursuant to Federal Rule of Civil
Procedure 56(d), docket no. 79, is GRANTED. Plaintiff's motion for partial summary

1 judgment, docket no. 71, seeking dismissal of defendant's counterclaim for abuse of
2 process, is RENOTED to June 28, 2019. Any supplemental response to plaintiff's
3 motion shall not exceed twelve (12) pages in length and shall be filed on or before
June 24, 2019. Any reply shall not exceed eighteen (18) pages in length¹ and shall be
filed on or before the new noting date.

4 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

5 Dated this 28th day of February, 2019.

6
7 William M. McCool
Clerk

8 s/Karen Dews
9 Deputy Clerk

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21 ¹ Plaintiff's reply in support of its motion for partial summary judgment was originally due on
22 March 1, 2019. The deadline for plaintiff's reply has herein been extended, and the permitted
length of plaintiff's reply reflects the twelve pages allowed by Local Civil Rule 7(e)(3) and an
23 additional six pages to respond to defendant's supplemental response.